

**PUBLIC SAFETY  
AND  
LEGAL ADMINISTRATION COMMITTEE  
MINUTES**

**NOVEMBER 10, 2008**

The regularly re-scheduled meeting of the Public Safety and Legal Administration Committee was held on **Monday, November 10, 2008 at 3:18 p.m., in Committee Room #2**. The following members were present:

**The Honorable Cleta Winslow, Chair  
The Honorable C. T. Martin, Vice-Chair  
The Honorable Anne Fauver  
The Honorable H. Lamar Willis**

The following members were absent:

**The Honorable Joyce Sheperd  
The Honorable Carla Smith**

Others present at the meeting were: Elizabeth Chandler, City Attorney, Jerry Deloach, Marc Goncher, Roger Bhandari, Dianne Mitchell and Amber Robinson, Law Department; Deputy Chief Carlos Banda, Police Department; Deputy Chief W. Meadows, Atlanta Fire and Rescue Department; media, public and council staff.

Chair Cleta Winslow called the meeting to order at 3:18 p.m. after declaring a quorum present. She then proceeded with the following order of business.

- A. ADOPTION OF AGENDA - ADOPTED AS AMENDED TO ADD ONE RESOLUTION**
- B. APPROVAL OF MINUTES - APPROVED**
- C. A QUARTERLY REPORT ON THE CITIZEN REVIEW BOARD - CRISTINA BEAMUD, EXECUTIVE DIRECTOR**

**CONSENT**

- D. RESOLUTIONS**

**Claims with favorable recommendations:**

- 08-R-2182 ( 1)      Claim of **Fred M. Williams**, for damages alleged to have been sustained as a result of striking a metal plate on September 1, 2008 at 10<sup>th</sup> Street, NW and Hemphill Avenue, NW.  
**\$583.01**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 08-R-2183 ( 2)      Claim of **Honey J. Rubin**, for bodily injuries alleged to have been sustained from an automobile accident on February 29, 2008 at Northside Drive, NW and Hemphill Avenue, NW.  
**\$611.00**
- 08-R-2184 ( 3)      Claim of **Dale Pratz**, for damages alleged to have been sustained as a result of an automobile accident on June 3, 2008 at 1540 Northside Drive, NW.  
**\$624.34**
- 08-R-2185 ( 4)      Claim of **Allstate Insurance Company, as subrogee of Arthur L. Pettaway**, for damages alleged to have been sustained as a result of an automobile accident on April 9, 2008 at 2841 Greenbriar Parkway.  
**\$788.46**
- 08-R-2186 ( 5)      Claim of **Safeco Insurance Companies, as subrogee of Dennis Culberson**, for damages alleged to have been sustained as a result of a vehicular incident on May 22, 2008 at 1828 Lakewood Terrace.  
**\$833.25**
- 08-R-2187 ( 6)      Claim of **Iesha Younge**, for damages alleged to have been sustained as a result of a trip and fall incident in an uncovered water valve on May 6, 2008 at 1809 Perry Boulevard.  
**\$1,000.00**
- 08-R-2188 ( 7)      Claim of **Bo Nilson and Pia Nilson**, for property damages alleged to have been sustained when a Solid Waste vehicle spilled hydraulic fluid on a lawn on May 20, 2008 at 268 Rumson Road.  
**\$1,186.00**
- 08-R-2189 ( 8)      Claim of **Sandra Link**, for bodily injuries alleged to have been sustained due to a fall on July 25, 2008 at 12 Broad Street, #A.  
**\$1,325.00**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 08-R-2190 ( 9)      Claim of **Allstate Insurance Company, as subrogee of Bertha Maddox**, for property damages alleged to have been sustained due to an automobile accident on October 18, 2007 at Marietta Street, NW and Moores Mill Road, NW.  
**\$1,779.67**
- 08-R-2191 (10)      Claim of **Louise Parks**, for vehicular damages alleged to have been sustained due to an automobile accident on September 23, 2008 at Donnelly Avenue, SW and Cascade Avenue, SW.  
**\$1,866.70**
- 08-R-2192 (11)      Claim of **Dana M. Williams**, for vehicular damages alleged to have been sustained due to an automobile accident on September 25, 2008 at Florida Avenue, SE and Sanders Avenue, SE.  
**\$1,989.00**
- 08-R-2193 (12)      Claim of **Robert Feil**, for vehicular damages alleged to have been sustained after driving over a large pothole in the road due to a water leak on January 4, 2008 at 2070 Liddell Drive, NE.  
**\$3,261.69**
- 08-R-2194 (13)      Claim of **Atlanta Gas Light Company, through its attorney, John C. Williams**, for damages alleged to have been sustained during the installation of a channel pole on June 4, 2008 at 896 Oakland Drive.  
**\$3,587.82**
- 08-R-2195 (14)      Claim of **State Farm Insurance Companies, as subrogee of Eugenia Sockel and David Sockel**, for damages alleged to have been sustained as a result of a vehicular accident on April 1, 2008 at Piedmont Road and Miami Circle.  
**\$3,954.65**
- 08-R-2196 (15)      Claim of **Peggy Feldman**, for damages alleged to have been sustained as a result of a water main break on July 24, 2008 at 6615 Wright Circle.  
**\$2,292.27**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 08-R-2197 (16) Claim of **David Brown, through his attorney, William A. Hutchinson**, for damages alleged to have been sustained as a result of an automobile accident on November 12, 2007 at Martin Luther King, Jr. Drive, NW and Hamilton E. Holmes Drive, NW. **\$10,000.00**
- 08-R-2198 (17) Claim of **Faye Smith, through her attorney, William D. Holman**, for damages alleged to have been sustained as a result of an automobile accident on January 8, 2008 at 1934 Cogar Drive and 2<sup>nd</sup> Avenue. **\$15,000.00**
- 08-R-2199 (18) Claim of **Brian Hayes, through his attorney, Richard R. Schlueter and the Rawlings Company, LLC, as subrogee of Aetna Health Plans**, for damages alleged to have been sustained as a result of an automobile accident on July 17, 2007 at Memorial Drive, SE and Warren Street, SE. **\$32,500.00**  
**and**  
**\$2,500.00**

**Claims with unfavorable recommendations:**

- 08-R-2200 (19) Claim of **Charles Ahtoong**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on July 7, 2008 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 08-R-2201 (20) Claim of **State Farm Insurance, as subrogee of insured, Richard Munger**, for vehicular damages alleged to have been sustained when a large drainage pipe fell on a vehicle at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 08-R-2202 (21) Claim of **Thomas and Melanie Replogle, on behalf of their minor child, Thomas Andrew Replogle, through their attorney, Daniel A. Ragland, Esq.**, for bodily injuries alleged to have been sustained when riding down an escalator on July 30, 2008 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 08-R-2203 (22) Claim of **Gail Edwards, through her attorney, Jonathan E. Sureck, Esq.**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on August 10, 2008 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 08-R-2204 (23) Claim of **Northwest Medical Center, LLC, through her attorney, James H. Kiminer**, for damages alleged to have been sustained as a result of storm water runoff at 3280 Howell Mill Road, NW.
- 08-R-2205 (24) Claim of **Kevin Mobley**, for vehicular damages alleged to have been sustained from driving over a construction site that was left in an unsafe manner on February 26, 2008 at 10<sup>th</sup> Street, NE and Piedmont Avenue, NE.
- 08-R-2206 (25) Claim of **Judy Rayford**, for damages alleged to have been sustained from receiving a parking citation on October 11, 2007 at 3275 Princeton Lakes Parkway.
- 08-R-2207 (26) Claim of **Drew C. Johnson**, for vehicular damages alleged to have been sustained from driving over a construction site that was left in an unsafe manner on January 6, 2008 at 1955 Monroe Drive, NE.
- 08-R-2208 (27) Claim of **Michael Walker, through his attorney, Noah S. Rosner, Esq., Rosner Law Group**, for damages alleged to have been sustained associated with an Open Records Request involving contract on May 10, 2008 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 08-R-2209 (28) Claim of **Mary Winston**, for damages alleged to have been sustained as a result of a trip and fall incident on an unsecured manhole lid on August 9, 2008 on Lee Street.
- 08-R-2210 (29) Claim of **Dana Davis, through her attorney, John M. Foy**, for damages alleged to have been sustained as a result of a slip and fall incident on June 16, 2008 at 50 Upper Alabama Street at Underground Atlanta.
- 08-R-2211 (30) Claim of **Robert Stevenson**, for damages alleged to have been sustained as a result of striking a construction cut on February 21, 2008 at 1306 West Marietta Street.
- 08-R-2212 (31) Claim of **Thomas Flewellyn**, for damages alleged to have been sustained as a result of a sewer backup on December 31, 2007 at 495 Sterling Street.
- 08-R-2213 (32) Claim of **Darwin Berman**, for damages alleged to have been sustained as a result of striking a raised manhole on September 6, 2006 at 817 Clifton Road.
- 08-R-2214 (33) Claim of **Sybil Moore-Dieng**, for vehicular damages alleged to have been sustained after driving over a barricade in the road on July 14, 2008 at 760 Pollard Boulevard.
- 08-R-2215 (34) Claim of **Joyce J. Williams**, for bodily injuries and vehicular damages alleged to have been sustained due to an automobile accident on August 30, 2008 at Georgia Highway 314 North and Pavillion Parkway.
- 08-R-2216 (35) Claim of **East Lake Golf Club C/O Ralph Kepple**, for property damages alleged to have been sustained when a tree fell on a fence during a storm on August 3, 2008 at 2575 Alston Drive, SE.

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 08-R-2217 (36) Claim of **Olivier Eaton**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on February 20, 2008 at Memorial Drive near Spencer Avenue.
- 08-R-2218 (37) Claim of **Terrica Curry**, for damages alleged to have been sustained as a result of driving over a pothole on February 1, 2008 at Memorial Drive near Spencer Avenue.
- 08-R-2219 (38) Claim of **Betty Bell**, for damages alleged to have been sustained from an automobile accident on October 20, 2007 at Central Avenue and Alice Street.
- 08-R-2220 (39) Claim of **Sylvester Scott**, for damages allegedly sustained as a result of driving over a pothole on December 15, 2007 at Northside Drive and 14<sup>th</sup> Street.
- 08-R-2221 (40) Claim of **Travelers Insurance Company, as subrogee of Jemma Osouna**, for damages alleged to have been sustained from an automobile accident on October 20, 2007 at Central Avenue and Alice Street.
- 08-R-2222 (41) Claim of **Traci Shelton**, for damages alleged to have been sustained as a result of striking a construction cut on November 30, 2005 at 586 Simpson Street.
- 08-R-2223 (42) Claim of **Greta Thompson**, for vehicular damages alleged to have been sustained from an automobile accident on August 28, 2008 at Interstate 75 northbound.
- 08-R-2224 (43) Claim of **Scotty Blue, through his attorney, Waymon Sims, Esq. East Atlanta Legal Associates, Inc.**, for bodily injuries alleged to have been sustained when claimant was struck by a police vehicle on October 7, 2007 on Washington Street.

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 08-R-2225 (44) Claim of **Paul Bergen**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on July 14, 2008 at West Paces Ferry Road and Moores Mill Road.  
**(Councilmember Martin made a motion to approve Items D1-D44)**

**FAVORABLE**

**E. ORDINANCES FOR FIRST READING**

- 08-O-2226 ( 1) An Ordinance by Public Safety and Legal Administration Committee amending the 2008 (Intergovernmental Grant Fund) Budget, Department of Police ("Department"), by adding to anticipation and appropriations, the amount of \$4,500.00 for a grant from the Governor's Criminal Justice Coordinating Council to fund one member of the Department's Command Staff to attend the 2008 Georgia International Law Enforcement Exchange (GILEE), to receive Anti-Terrorism Training in Israel; and for other purposes.

**TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

- 08-O-2227 ( 2) An Ordinance by Public Safety and Legal Administration Committee amending the 2009 (Intergovernmental Grant Fund) Budget, Departments of Police, Fire and Rescue and Watershed Management, by adding to anticipations and appropriations, the amount of \$4,208,999.16 from the United States Department of Homeland Security (DHS), Office for Domestic Preparedness (ODP), Urban Areas Security Initiative (UASI), to aid the City of Atlanta's ongoing efforts to protect itself from terrorist attacks; and for other purposes.

**TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**



**REGULAR**

**F. RESOLUTIONS**

- 08-R-2175 ( 1)     A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into a Lease Renewal Agreement with the Little Five Points Business Association, on behalf of the Atlanta Police Department, for the rental of 400 square feet of office space located at 1166B Euclid Avenue, Atlanta, Georgia, for the Department of Police Zone Six Little Five Points Mini-Precinct at a rental rate of \$1 per year to be charged to and paid from 1001.240424.5223103.3223000; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 08-R-2176 ( 2)     A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into a Lease Renewal Agreement with Northside Village Partnership, L.P., on behalf of the Atlanta Police Department, for the rental of 1406 square feet of office space located at 370 Northside Drive, Atlanta, Georgia, for the Department of Police Zone One Mini-Precinct at a rental rate of \$1 per year to be charged to and paid from 1001.240403.5223103.3223000; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 08-R-2177 ( 3)     A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into a Lease Renewal Agreement with Atlantic Town Center, on behalf of the Atlanta Police Department, for the rental of 2,500 square feet of office space located at 1380 Atlantic Drive, Atlanta, Georgia, for the Department of Police Zone Five Atlantic Station Mini-Precinct at a rental rate of \$1 per year to be charged to and paid from 1001.240421.5223103.3223000; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

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**RESOLUTIONS (CONT'D)**

- 08-R-2178 ( 4)     A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into a Lease Renewal Agreement with ASI Properties, Inc., on behalf of the Atlanta Police Department, for the rental of 5,026 square feet of office space located at 3120 Maple Drive, Atlanta, Georgia, for the Department of Police Zone Two Precinct at a rental rate of \$89,714.10 per year to be charged to and paid from 1001.240406.5223103.3223000; and for other purposes.  
**(Councilmember Willis made a motion to hold.)**

**HELD**

- 08-R-2179 ( 5)     A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of State Farm Mutual Automobile Insurance Co. a/s/o Linda Capell, Fulton County State Court, Civil Action File No. 2008-EV-004267-Y, in the amount of \$2,000.00; authorizing said payment to be charged to and paid from Fund 1001 (General Fund), Account 5212005 (Litigation Expenses), Center Number 200101 (Non-Departmental) authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 08-R-2180 ( 6)     A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of WW/CI Ponce Place v. City of Atlanta, Magistrate Court Fulton County, Civil Action File No. 08MS084701, in the amount of \$12,000.00; authorizing said payment to be charged to and paid from Fund 5051 (Watershed), Account 080101 (Property Liquidation), authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

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**RESOLUTIONS (CONT'D)**

- 08-R-2181 ( 7)     A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the cases of Catherine Daniel, et al. v. COA, CAFN 2006-CV-119209; Betty Johnson, et al. v. COA, CAFN 2006-CV-122713; Alex Hunte, et al. v. COA, CAFN 2006-CV-122715; Mattie Sands, et al. v. COA, CAFN 2006-CV-122716; and Sandra Walker, et al. v. COA, CAFN 2006-CV-122714; Fulton Superior Court, in the amount of \$4,500,000.00; authorizing said payment to be charged to and paid from Various Fund, Account and Center Numbers; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
- Councilmember Winslow made a motion to go into Executive Session, which was approved, whereupon the committee members and the City Attorneys retired to the Council Conference Room for the executive session discussion.**
- (Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**G.    PAPERS HELD IN COMMITTEE**

- 06-R-0433 ( 1)     Claim of **Robert Colgin**, for damages alleged to have been sustained as a result of flooding on July 9, 2005 at 3340 Chatham Road, NW. **(Referred back by Council 2/20/06) (Held 2/28/06 for further investigation at the request of Councilmember Muller)**

**HELD**

- 06-O-1044 ( 2)     An Ordinance by Councilmembers H. Lamar Willis and C. T. Martin to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article 2, Section 162-61(a) and Chapter 162, Article 2, Section 162-34(f) to allow short breaks in service for Taxicabs; to allow the Chief of Police or his designee, discretion to grant further extension for correction slip matters; to repeal conflicting ordinances; and for other purposes. **(Held 5/9/06 at the request of Councilmember Martin)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 07-O-0249 ( 3)     An Ordinance by Councilmembers Kwanza Hall and Cleta Winslow authorizing the Mayor or her designee to grant an exemption to the City's Distance Requirements for on-premise consumption of alcohol and the sale of wine by the package on the 300 block of Walker Street. **(Held 2/13/07 for further review)**

**HELD**

- 07-R-0545 ( 4)     Claim of **Nancy Montgomery**, for damages alleged to have been sustained as a result of a water main break during the installation of a sidewalk on June 6, 2006 at 2340 Hurst Drive, NE. **(Referred back from Council 4/16/07) (Held 5/1/07 at the request of Councilmember Shook)**

**HELD**

- 07-O-1522 ( 5)     An Ordinance by Councilmembers Anne Fauver and Natalyn Archibong to amend Chapter 18, Article I, of the Code of Ordinances of the City of Atlanta, so as to prohibit the practice of inhumanely chaining or tethering dogs; and for other purposes.  
**(Councilmember Martin made a motion to file.)**

**FILE**

- 07-O-1525 ( 6)     An Ordinance by Councilmember Joyce Sheperd to amend Section 122-172 under Chapter 122, Article V, Division 2, of the Code of Ordinances, so as to provide for a review by the affected Neighborhood Planning Unit(s) whenever an application for a license to operate a Secondary Metal Recycler is submitted; and for other purposes. **(Held 7/31/07 at the request of the author for further review. 9/25/07 a motion was approved to forward to the NPU's for review)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 07-O-1526 ( 7)     An Ordinance by Councilmember Joyce Sheperd to amend Section 30-1503(a) under Chapter 30, Article XXV, of the Code of Ordinances, so as to provide for a review by the affected Neighborhood Planning Unit(s) whenever an application for a license to operate a Self-Service Car Wash is submitted; and for other purposes. **(Held 7/31/07 at the request of the author for further review. 9/25/07 a motion was approved to forward to the NPU's for review)**

**HELD**

- 07-O-1795 ( 8)     An Ordinance by Councilmember H. Lamar Willis to establish Chapter 21 of the Code of Ordinances of the City of Atlanta entitled "Transportation of Hazardous Materials"; to create a new Article I to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007," to create a new Division 1 to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007"; so as to prohibit large shipments of certain extremely hazardous materials near the City of Atlanta in an effort to reduce the risk of attacks by terrorists; to allow for the issuance of permits authorizing such shipments in special cases; to require the Mayor to issue regulations to implement the provisions of this act; and for other purposes. **(Held 8/28/07 for further review.)**

**HELD**

- 07-O-1800 ( 9)     An Ordinance by Councilmembers C. T. Martin, Ceasar C. Mitchell, H. Lamar Willis, Ivory L. Young, Jr. and Joyce Sheperd **as substituted by Public Safety and Legal Administration Committee** to create Section 106-13 of the Code of Ordinances of the City of Atlanta, Georgia to be entitled "Wearing of Pants Below the Waist in Public, Unlawful"; to waive conflicting ordinances; and for other purposes. **(Held 8/28/07 at the request of the author for a work session and a public hearing) (Substituted and held 9/11/07)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 07-O-1879 (10) An Ordinance by Public Safety and Legal Administration Committee to revise the City of Atlanta Code of Ordinances pertaining to secondary metal recyclers by amending the following Sections of Chapter 122, Article V, Divisions I and II; Section 122-151 (Definitions); Section 122-152 (Records Required); and Section 122-157 (Unlawful Acts); Section 122-171 (Required Application); to add the following new Sections to Chapter 122, Article V, Divisions I and II of the City of Atlanta Code of Ordinances: Section 122-158 (Daily Written Report to Police); Section 122-159 (Offenses; Defenses, Penalty); Section 122-160 (Possessor of Secondary Metals); Section 122-161 (License to Possess Secondary Metals); Section 122-162 (Revocation of License to Possess Secondary Metals); and Section 122-170 (Processing Application; Issuance of License, Possessor of Secondary Metals); to waive conflicting ordinances; and for other purposes. **(Public Hearing held on 10/30/07) (Held 10/30/07 for further review)**

**HELD**

- 07-R-2294 (11) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to approve or reject the decision of the evaluator presiding in the early neutral evaluation process, an alternative dispute resolution process, in the matter of Veolia Water North America Operating Services, LLC v. City of Atlanta, in the U.S. District Court, Northern District of Georgia, Civil Action No. 06-CV-1457-TWT; and for other purposes. **(Held 10/30/07 for further review)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 07-O-2513 (12) An Ordinance by Councilmember Ceasar C. Mitchell to amend Ordinance #07-O-2135, adopted October 15, 2007 and approved October 22, 2007, amending Section 10-12 of the City Code, which amendment eliminated the provision allowing persons 18 years of age or older to provide entertainment in any premises licensed for the sale of alcoholic beverages, so as to exempt from said ordinance, those persons currently employed as entertainers with active and valid permits, which will afford such persons a "Grandfathered" status; and for other purposes. **(Held 11/27/07 at the request of the author)**

**HELD**

- 08-O-0190 (13) An Ordinance by Councilmember H. Lamar Willis to amend Chapter 30, Article II of the City Code of Ordinances to reflect new fees for owners of Adult Entertainment establishments which sell alcohol to provide for certain programs for the prevention of sexual assault; and for other purposes. **(Held 1/29/08 at the request of the author)**

**HELD**

- 08-O-0507 (14) An Ordinance by Councilmember Mary Norwood to create a new Section 106-15 of the Code of Ordinances of the City of Atlanta, Georgia, to be entitled "Loitering"; and for other purposes. **(Held 3/11/08 for further review by the Law Department)**

**HELD**

- 08-O-0824 (15) An Ordinance by Councilmembers Ceasar C. Mitchell, Cleta Winslow, Joyce M. Sheperd, Mary Norwood, C. T. Martin, Ivory L. Young, Jr., Kwanza Hall and H. Lamar Willis to amend Article V (Entitled "Offenses by and against Minors") of Chapter 106 of the Code of Ordinances of the City of Atlanta, Georgia, by creating a new Section 106-229 to be entitled "Day-Time Curfew" so as to impose a Day-Time Curfew on minors, ages six (6) to sixteen (16) years; and for other purposes **(Held 4/29/08 per the Department of Police to have discussion with the Atlanta Board of Education.)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 08-O-0843 (16) An Ordinance by Councilmember Natalyn M. Archibong amending Sections 10-1, 10-88 and 10-88.1 of the Code of Ordinances of the City of Atlanta, by adding a paragraph to define the term "Specialty Food Shop" and by adding and amending paragraphs to create distance requirements for same; and for other purposes. **(Held 4/29/08 for two week certain per the author to have a discussion with the Law Department.)**

**HELD**

- 08-R-0845 (17) A Resolution by Councilmembers Ceasar C. Mitchell and C. T. Martin expressing the Atlanta City Council's support and encouragement of the Atlanta Police Department increasing the number of members of the City's Red Dog Unit from its current strength to not less than seventy-five (75) officers in order to have an effective number of personnel in order to combat street level drug trafficking; and for other purposes. **(Held per the Committee so that the Law Department can review.)**

**HELD**

- 08-O-0884 (18) An Ordinance by Finance/Executive Committee to amend Chapter 10, Article I, Section 10-1 of the Code of Ordinances, City of Atlanta, Georgia, so as to amend the definition of the word "Restaurant" to more closely reflect the definition of the term "Bona Fide Full-Service Restaurant" contained in Chapter Three of the Official Code of Georgia Annotated; to repeal conflicting ordinances; and for other purposes. **(Held 5/27/08 for further review)**

**HELD**

- 08-O-1211 (19) An Ordinance by Councilmembers H. L. Willis, C. T. Martin, Ivory L. Young, Jr. and Mary Norwood to create a separate Department/Organization (Dept/Org) to account for the activity of the Citizen Review Board (CRB); to move funds budgeted in the FY 2008 General Fund Budget in the Police Department's Public Affairs Unit for the purposes of the CRB; and for other purposes. **(Held 6/10/08 for further review)**

**HELD**



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**PAPERS HELD IN COMMITTEE (CONT'D)**

08-O-1230 (20) An Ordinance by Councilmember Kwanza Hall **as substituted by Public Safety and Legal Administration Committee** to amend Section 10-1, 10-62 and 10-88 to Chapter 10 of the Code of Ordinances, City of Atlanta, Georgia, so as to create a new category of Alcoholic Beverage License for Community Theatres; to make such Community Theatres exempt from the distance requirements contained in Section 10-88; and for other purposes. **(Held 6/10/08) (Substituted and held 7/1/08 for further review)**

**HELD**

08-O-1252 (21) An Ordinance by Councilmember Howard Shook to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 10, Article II, Division 2, Section 10-94(a), to exempt certain properties from the distance requirements of 10-88 for the sale of alcoholic beverages for consumption on the premises; and for other purposes. **(Held 7/1/08 at the request of the Law Department)**

**HELD**

08-O-1289 (22) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 10, Article II, Division 2, Section 10-61, Entitled "Date for Payment of License Fees; Prorated Fees", to provide for an expiration date for all licenses issued under Division 2 of Chapter 10, Article II of the City of Atlanta Code of Ordinances; to change the date by which all Annual License Fees and Renewal Applications of all Annual Licenses issued under Division 2 of Chapter 10, Article II of the City of Atlanta Code of Ordinances must be submitted; to provide for prorated fees based upon the new deadline; to set forth that the effective date of this amendment shall be January 2, 2009; to repeal conflicting ordinances; and for other purposes. **(Held 7/15/08 at the request of the Law Department)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 08-O-1538 (23) An Ordinance by Councilmembers Jim Maddox, Joyce Sheperd, Mary Norwood, Ivory Lee Young, Jr., H. Lamar Willis, Kwanza Hall, C. T. Martin, Natalyn Archibong and Ceasar C. Mitchell to amend the Charter of the City of Atlanta, Georgia pursuant to the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, by amending Section 4-104 (d) so as to provide that for the next Election of Municipal Court Judges, to be held in 2009, if more than seven (7) Judges elect to continue to serve for an additional four year term, only the seven (7) Judges receiving the highest number of votes shall continue to serve; to waive conflicting ordinances and charter amendments; and for other purposes. **(Referred by Full Council on 8/18/08) (Held 8/26/08 for a legal opinion.)**

**HELD**

- 08-O-1544 (24) An Ordinance by Councilman C. T. Martin to amend Section 162-78 (a) (3) and (6) (Taxicabs and Vehicles for Hire) of the Code of Ordinances of the City of Atlanta, Georgia so as to eliminate the Annual Fingerprinting Requirement for Taxicab Drivers and to change the Driver's Training Course Requirement from annually to every three years; to waive conflicting ordinances; and for other purposes. **(Referred back by Full Council on 8/18/08) (Held 8/26/08 for further review.)**

**HELD**

- 08-O-1753 (25) An Ordinance by Councilmember Mary Norwood to amend Article XXIV entitled "Vending on Private Property"; and for other purposes. **(Held 9/9/08 for further review.)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 08-O-1760 (26) An Ordinance by Councilmembers Jim Maddox, C. T. Martin, Cleta Winslow, H. Lamar Wills, Ceasar Mitchell, Ivory L. Young, Jr., Kwanza Hall, Clair Muller to create a new Section 62-27.1 of the Code of Ordinances of the City of Atlanta, Georgia, which section shall provide that effective January 1, 2010, the number of Municipal Court Judges shall be eight (8); to waive conflicting ordinances; and for other purposes. **(Held 9/9/08 for further review.)**

**HELD**

- 08-O-2033 (27) An Ordinance by Councilmembers H. Lamar Willis and Ivory L. Young, Jr. amending Section 162-221 to be entitled "Private Residential Property Trespass and Private Residential Property Trespass Towing" and modifying license requirements and fees, permits and impound lot requirements; and for other purposes. **(Held 10/14/08 at the request of the author.)**

**HELD**

- 08-O-2136 (28) An Ordinance by Councilmember Anne Fauver to amend the Code of Ordinances by of the City of Atlanta, so as to create Section 174 of Chapter 74 entitled "Graffiti Abatement"; to repeal the provisions of Article VIII of Chapter 106 entitled "Graffiti Abatement"; and for other purposes.  
**(Councilmember Fauver made a motion to forward without recommendation.)**

**FORWARDED WITHOUT RECOMMENDATION ON  
CONDITION (1 ABSTENTION) WILLIS**

- 08-O-2137 (29) An Ordinance by Councilmembers Anne Fauver, Howard Shook and Clair Muller to amend Section 70-26 et seq. of the Code of Ordinances of the City of Atlanta, Georgia (Entitled "Burglar or Robbery Alarm Systems") by repealing Sections 70-26 through 70-33 and replacing said sections with provisions which simplify the process of regulating such alarm systems; to waive conflicting ordinances; and for other purposes. **(Held 11/3/08 at the request of the Author.)**

**HELD**

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**H. REQUESTED ITEMS**

1. Councilmember Winslow requested that the Citizen Review Board make a Quarterly Report at the next committee meeting on November 3, 2008.
2. Councilmember Martin requested that David Edwards give a status report on the General Growth Property's Finances at the next committee meeting.
3. Councilmember Martin would like to receive data on how many arrests are made by Atlanta Police Department on Graffiti.

**I. ITEM NOT ON THE AGENDA**

**RESOLUTION**

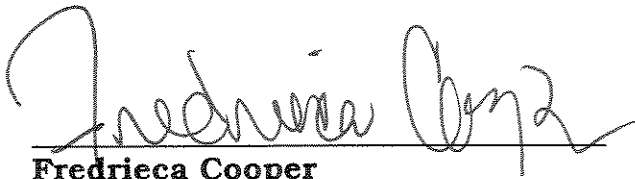
- 08-R-2267 ( 1)      A Resolution by Public Safety and Legal Administration Committee authorizing the initiation of a lawsuit against the parties who received overpayment for mileage reimbursement; authorizing the City of Atlanta Law Department to prosecute said action against Mark Azar and Daniel McCrary.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

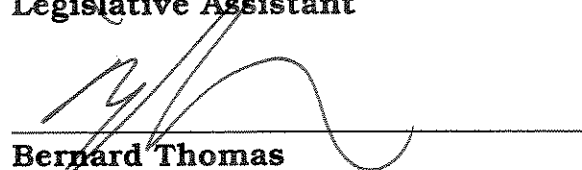
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**There being no further business to come before the Committee, the meeting was adjourned at 5:16 p.m.**

**Respectfully Submitted:**



**Fredrieca Cooper**  
**Legislative Assistant**



**Bernard Thomas**  
**Research and Policy Analyst**



**The Honorable Cleta Winslow, Chair**  
**Public Safety and Legal Administration Committee**